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**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW JERSEY**

**ELBEX VIDEO, LTD., a Japanese  
Corporation,**

**Plaintiff,**

**v.**

**TYCO INTERNATIONAL, LTD.,  
SENSORMATIC ELECTRONICS  
CORPORATION and JOHN DOES 1-10,**

**Defendants.**

**CIVIL ACTION NO. 06 CV 5178  
(PGS)(ES)**

**Hon. Esther Salas, U.S.M.J.**

**PROPOSED ORDER**

**THIS MATTER** having come before the Court by Gottlieb, Rackman & Reisman, P.C., attorneys for plaintiff Elbex Video Ltd. ("Elbex"), for the entry of an Order directing the sealing of certain documents pursuant to Local Civil Rule 5.3(c); and it appearing from the papers submitted in support of the motion that plaintiff is entitled to the relief sought; and good cause having been shown; for the reasons set forth in the Court's Findings of Fact and Conclusions of Law with respect to this motion;

IT IS, on this 27<sup>th</sup> day of May, 2007

**ORDERED** that Elbex's Second Motion to Seal certain documents in support of Elbex Video Ltd.'s Reply Memorandum of Law In Support of Elbex Video Ltd.'s Cross-Motion for Leave to File A First Amended Complaint Under Fed. R. Civ. P. 15(a) and for Discovery Relating to Tyco International Ltd.'s Motion to Dismiss is granted with respect to the following documents, pursuant to Local Civil Rule 5.3(c)

- Email correspondence, bates labeled TBS008758, which is attached as Exhibit 14 to the Supplemental Declaration of Steven Stern;
- Email correspondence, bates labeled TBS008731, which is attached as Exhibit 15 to the Supplemental Declaration of Steven Stern;
- Email correspondence, bates labeled TBS008752, which is attached as Exhibit 17 to the Supplemental Declaration of Steven Stern;

  
Hon. Esther Salas U.S.M.J.

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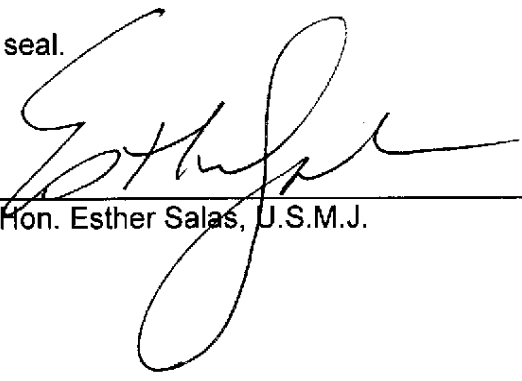
**PROPOSED FINDINGS OF FACT  
AND CONCLUSIONS OF LAW**

Plaintiff Elbex Video Ltd. ("Elbex") having filed a Second Motion To Seal certain documents that were submitted in support of Elbex Video Ltd.'s Reply Memorandum of Law In Support of Elbex Video Ltd.'s Cross-Motion for Leave to File A First Amended Complaint Under Fed. R. Civ. P. 15(a) and for Discovery Relating to Tyco International Ltd.'s Motion to Dismiss, the Court makes the following findings of fact and conclusions of law, pursuant to Local Civil Rule 5.3(c)(5):

1. The Court finds that the information sought to be sealed appears to contain sensitive business information of Tyco.

2. The Court further finds that revealing to the public and the parties' competitors the confidential business information sought to be sealed may injure Tyco's business interests.

3. Accordingly, the Court finds that good cause exists to seal the documents at issue under the considerations set forth in *Pansy v. Borough of Stroudsburg*, 23 F.3d 772 (3d Cir. 1994) and Local Civil Rule 5.3(c)(2). The Court therefore permits the requested documents to be maintained under seal and that certain documents previously filed via ECF be placed under seal.



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Hon. Esther Salas, U.S.M.J.